

1-1 By: Lucio S.B. No. 1690
1-2 (In the Senate - Filed March 8, 2013; March 25, 2013, read
1-3 first time and referred to Committee on Intergovernmental
1-4 Relations; April 29, 2013, reported adversely, with favorable
1-5 Committee Substitute by the following vote: Yeas 3, Nays 0;
1-6 April 29, 2013, sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11	X			
1-12			X	
1-13	X			

1-14 COMMITTEE SUBSTITUTE FOR S.B. No. 1690 By: Garcia

1-15 A BILL TO BE ENTITLED
1-16 AN ACT

1-17 relating to the establishment of a down payment assistance program
1-18 by the manufactured housing division of the Texas Department of
1-19 Housing and Community Affairs for the purchase of manufactured
1-20 homes by low-income individuals and families.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Subchapter B, Chapter 1201, Occupations Code, is
1-23 amended by adding Section 1201.063 to read as follows:

1-24 Sec. 1201.063. DOWN PAYMENT ASSISTANCE PROGRAM. (a) The
1-25 department shall establish a program providing down payment
1-26 assistance to eligible persons for the purchase of manufactured
1-27 homes:

1-28 (1) from a retailer licensed under this chapter; or
1-29 (2) that have been converted to and are being sold as
1-30 real property.

1-31 (b) To be eligible for financial assistance under this
1-32 section, a person must:

1-33 (1) be an individual or family earning not more than 80
1-34 percent of the area median income or applicable federal poverty
1-35 line as determined under Section 2306.123 or 2306.1231, Government
1-36 Code; and

1-37 (2) except as provided by board rule, continuously
1-38 occupy the purchased manufactured home as the person's primary
1-39 residence for at least the two-year period following the date of
1-40 purchase of the home.

1-41 (c) For each manufactured home purchased with financial
1-42 assistance under this section, the assistance may not exceed the
1-43 lesser of:

1-44 (1) \$2,000;
1-45 (2) 50 percent of any down payment required by the
1-46 primary lender; or

1-47 (3) five percent of the total purchase price of the
1-48 manufactured home and the real property on which a manufactured
1-49 home has been installed, if a real property election has been
1-50 perfected under Section 1201.222(a).

1-51 (d) Financial assistance provided under this section must
1-52 be provided in connection with a primary loan that:

1-53 (1) is from a lender licensed to make consumer loans in
1-54 this state or a federally insured depository institution if the
1-55 loan does not involve the use of real property as security; or

1-56 (2) complies with the applicable requirements of state
1-57 and federal law if the loan involves the use of real property as
1-58 security.

1-59 (e) The board shall adopt rules governing:

1-60 (1) the administration of the program;

2-1 (2) the issuance of financial assistance under the
 2-2 program;
 2-3 (3) creditworthiness, purchase price, and other
 2-4 eligibility standards;
 2-5 (4) exceptions to the residency requirement under
 2-6 Subsection (b)(2), including death, loss of employment, or other
 2-7 exigent circumstances;
 2-8 (5) contractual enforcement of the residency
 2-9 requirement under Subsection (b)(2); and
 2-10 (6) the structure of the financial assistance provided
 2-11 under this section, which may include secured or unsecured deferred
 2-12 forgivable loans.

2-13 (f) The department may fund the program with:

2-14 (1) money appropriated to the department for that
 2-15 purpose; and

2-16 (2) money from the housing trust fund established
 2-17 under Section 2306.201, Government Code, that is made available to
 2-18 the department for that purpose.

2-19 (g) The department may reserve for payment of
 2-20 administrative expenses not more than five percent of money
 2-21 received for the program under this section.

2-22 SECTION 2. The Texas Department of Housing and Community
 2-23 Affairs shall adopt the rules required by Subsection (e), Section
 2-24 1201.063, Occupations Code, as added by this Act, not later than
 2-25 December 1, 2013.

2-26 SECTION 3. This Act takes effect September 1, 2013.

2-27 * * * * *